



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Thomas E. WAGNER et al.

Title:

**HYBRID CELLS** 

Appl. No.:

09/756,293

Appl. Filing Date:

01/09/2001

Examiner:

Qian J. Li

Art Unit:

1632

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

- 1. Submission required under 37 C.F.R. §1.114: (check items that apply)
  - a. Previously submitted:

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[ ] Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not considered.

06/29/2004 YPOLITE1 00000098 09756293

01 FC:1801

770.00 DP

[]	Please consider the arguments in the Appeal Brief or Reply Brief under 37						
	C.F.R. § 1.116 previously filed on						
[]	Other						
b. End	closed are:						
[X]	Amendment/Reply.						
[]	Affidavit(s)/Declaration(s).						
[]	Information Disclosure Statement.						
[]	Form PTO-1449 with copies of listed reference(s).						
[]	Other .						

## Miscellaneous:

[ ] Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_ months.

## The filing fee is calculated below:

	Claims as Amended		Previously Paid For	Extra Claims Present		Rate		Fee Totals	
RCE Fee 1.17(e):						\$770.00	=	\$770.00	
Total Claims:	14	-	30	=0	x	\$18.00	=	\$0.00	
Independents	2	-	10	=0	x	\$86.00	=	\$0.00	
First p	resentation o	of any	Multiple I	Dependent Claims:	+	\$290.00	=	\$0.00	
				CLAIMS	FEE	E TOTAL:	=	\$770.00	

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

\$0.00	\$110.00 0	Extension for response filed within the first month:	[]
\$420.00	\$420.00	Extension for response filed within the second month:	[X]
\$0.00	\$950.00	Extension for response filed within the third month:	[]
\$0.00	\$1,480.00	Extension for response filed within the fourth month:	[]
\$0.00	\$2,010.00	Extension for response filed within the fifth month:	[]
\$420.00	JBTOTAL:	EXTENSION FEE SU	
\$110.00	DY PAID: -	EXTENSION FEE ALREA	
\$310.00	EE TOTAL	EXTENSION FI	
\$1080.00	E TOTAL:	CLAIMS AND EXTENSION FE	
\$0.00	of above):	Small Entity Fees Apply (subtract ½	[]
\$0.00	§ 1.103(c)	Suspension of action requested under 37 C.F.R.	[]
\$1080.00	TAL FEE:	TC	

<sup>[ ]</sup> Please charge Deposit Account No. 19-0741 in the amount of \$1080.00. A duplicate copy of this transmittal is enclosed.

- [X] A check in the amount of \$1080.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone:

(202) 945-6078

Facsimile:

(202) 672-5399

By

George C. Best

Attorney for Applicant Registration No. 42,322



Applicant: Thomas E. WAGNER, et al.

Title: Hybrid Cells

Appl. No.: 09/756,293

Filing Date: January 9, 2001

Examiner: Q. Li

Art Unit: 1632

### AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Mail Stop AF Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

This communication is accompanied by a Request for Continued Examination concerning the above-referenced patent application. This communication is responsive to the Final Office Action dated January 28, 2004 and the Advisory Action dated June 15, 2004 concerning the above-referenced patent application. By virtue of the accompanying request for an extension of time and payment of extension fees, the present deadline for responding to the action is June 28, 2004. While no other fees are believed due, the PTO is authorized to invoice account No. 19-0741 for any charges deemed necessary or refunds.

Please amend the application as follows:

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02 FC:1252

310.00 GP